

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

DANIEL ELLSBERG, et al., )  
Plaintiffs, )  
v. ) Civil Action No. 1879-72  
JOHN N. MITCHELL, et al., )  
Defendants. )

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ANSWERS BY DEFENDANT SCHLESINGER  
TO PLAINTIFFS' FURTHER  
INTERROGATORIES TO DEFENDANT LAIRD

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, and in response to the Further Interrogatories from Plaintiffs to Defendants served by mail upon defendants' counsel on August 8, 1973, now comes David O. Cooke, Deputy Assistant Secretary of Defense (Administration), Office of the Assistant Secretary of Defense (Comptroller), Department of Defense, Washington, D.C. 20301, having been designated to respond to said Further Interrogatories on behalf of defendant James R. Schlesinger, Secretary of Defense of the United States, who has, in his official capacity, been substituted for defendant Melvin R. Laird in accordance with Rule 25(d)(1), Federal Rules of Civil Procedure; and, on the basis of information available to him in his official capacity aforesaid, deposes and says as follows:

Interrogatory No. 1.

State whether you, your agents or employees, or the agents or employees of your department or agency which you direct, or formerly directed, have, since July 19, 1968, authorized, procured, conducted or received any electronic surveillance or other overhearing of wire or oral communications made by or to any of the following persons:

a. Daniel Ellsberg

Interrogatory No. 2.

If the response to Interrogatory 1 or to any part thereof is in the affirmative, please respond to the following additional interrogatories with respect to each instance of electronic surveillance or other overhearing indicated.

- a. State the date of such electronic surveillance or other overhearing.
- b. State the precise location of the electronic device by means of which the overhearing was accomplished.
- c. State the name of the person or address of the establishment at which the electronic surveillance or other overhearing was directed.
- d. State whether such electronic surveillance or other overhearing was conducted pursuant to a court order.
- e. If such electronic surveillance or other overhearing was conducted pursuant to a court order, state the name of the judge who signed the order and the date of its issuance.
- f. If such electronic surveillance or other overhearing was not conducted pursuant to a court order, state by what other form of authority such surveillance was conducted, and if in written form, state the name of the person who signed the authorization, the date of its issuance, and the name and address of its present custodian.
- g. State the method by which such electronic surveillance or other overhearing was accomplished.
- h. State the precise location of the electronic device by means of which the electronic surveillance or other overhearing was accomplished.
- i. State the names, positions of employment, and present addresses if known, of all persons who participated in each such instance of electronic surveillance or other overhearing.

j. State whether logs, memoranda, transcription, or any other form of record relating to such electronic surveillance or overhearing was prepared, and, if so, state the names and addresses of the custodians of each such record, and the precise whereabouts of each such record.

k. State the names of all persons or agencies who have access to each such record.

l. State the names, positions of employment, and present addresses of the persons within your department or agency who are responsible for searching the files and records to determine, in response to appropriate inquiry, whether surveillance of a named person or at a specified location has been conducted.

Answer to Interrogatory No. 2.

The answer to Interrogatory No. 1 being in the negative, no response to Interrogatory No. 2 is required.

*DAVID O. COOKE*

DAVID O. COOKE  
Deputy Assistant Secretary of  
Defense (Administration)  
Office of the Assistant Secretary of  
Defense (Comptroller)  
Department of Defense  
Washington, D.C. 20301

Subscribed and sworn to before me this 9<sup>th</sup> day of Oct, 1974.

*R.E. Deacon*  
Notary Public

My Commission expires April 23, 1976.

CERTIFICATE OF SERVICE

I certify that on this date I served a copy of the foregoing

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upon the plaintiffs by mailing a copy thereof to their following  
counsel of record:

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October 10, 1974

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